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Letter dated 9 July 2010 from the Permanent Representative of Nigeria to the United Nations addressed to the Secretary-General

I have the honour to inform you that during the Presidency of Nigeria, the Security Council is scheduled to hold an open debate on the subject "Optimizing the use of preventive diplomacy tools: prospects and challenges in Africa" on Friday, 16 July 2010.

Nigeria has prepared the attached concept note to help guide the discussion on this subject (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) U. Joy **Ogwu**
Ambassador
Permanent Representative

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Annex to the letter dated 9 July 2010 from the Permanent Representative of Nigeria to the United Nations addressed to the Secretary-General

Concept note for the open thematic debate in the Security Council, to be held on 16 July 2010 under the Presidency of Nigeria, on "Optimizing the use of preventive diplomacy tools: prospects and challenges in Africa"

Nigeria proposes to convene an open debate of the Security Council on 16 July 2010 to explore the optimization of the full range of preventive diplomacy tools in the maintenance of international peace and security, particularly in Africa.

Context

African nations have demonstrated their commitment to peace and security as is evident from the work of regional and subregional organizations in Africa. The Economic Community of West African States (ECOWAS) has established a number of conflict prevention mechanisms including early warning systems for conflict prevention in the Gambia, Benin, Liberia and Burkina Faso. As part of its efforts, ECOWAS has also established the Mediation and Security Council, the Defence and Security Commission and the Council of Elders. Furthermore, the African Union has put in place several conflict prevention mechanisms, such as the Peace and Security Council and the Panel of the Wise, as part of its overarching peace and security architecture. However, conflict and the threat of conflict remain critical concerns for the continent and the question of tackling this problem in a comprehensive manner falls to be considered.

Although primary responsibility for conflict prevention rests with States, the maintenance of international peace and security is the primary responsibility of the Security Council. Peacekeeping missions have emerged as the preferred tool for the United Nations in managing conflicts, and such missions have grown in complexity and scope. Indeed, while in 2000 only 20,000 personnel were deployed for peacekeeping, by 2009 that figure stood at 116,000, with an operational budget of over US$ 7.8 billion. The budget for peacekeeping now stands at US$ 8.5 billion. This has wider implications for Member States, the United Nations Secretariat and stakeholders with respect to decision-making, allocation of resources and management.[1]

Faced with the unprecedented rise in the number and scale of such operations, perhaps the United Nations should consider the benefits inherent in transforming its culture of response after conflict into a culture of prevention to forestall violent conflicts and incalculable losses. A great deal of good work has been done in this respect, particularly as regards the benefits of mediation, conflict resolution and conflict management. By way of example, in concert with regional actors, the

[1] Department of Peacekeeping Operations and Department of Field Support, *A New Partnership Agenda: Charting a New Horizon for UN Peacekeeping* (July 2009), p. 4.

United Nations staged a rapid political intervention in Guinea following the violence of September 2009, thereby averting the threat of civil war and obviating the need for the deployment of peacekeeping troops. Similarly, the involvement of the ECOWAS Special Envoy in the Niger helped in dousing a potentially explosive political crisis with possible violent consequences. Following the 2002 ruling of the International Court of Justice, Secretary-General Kofi Annan successfully mediated the arrangements for the transfer of sovereignty between Nigeria and Cameroon in relation to the Bakassi peninsula. More recently, the continuing support provided by the United Nations in the areas of election and socio-economic recovery programmes and security sector reform is part of a suite of political solutions helping to maintain peace, particularly in Guinea.

Notwithstanding success stories like these, the United Nations still lacks a coherent, overarching strategy to ensure that conflict prevention is pursued and achieved in an integrated manner, making the best use of the tools and agencies at its disposal and of those within regional organizations, in a manner that effectively discharges the obligations, under Chapter VI of the Charter of the United Nations, for the pacific settlement of disputes.

Background

The conceptual shift in United Nations thinking and action in conflict prevention can be traced to the 1992 report of the Secretary-General, *An Agenda for Peace*, which defined preventive diplomacy as "action to prevent disputes from arising between parties, to prevent existing disputes from escalating into conflicts and to limit the spread of the latter when they occur".

The 2001 report of the Secretary-General on the prevention of armed conflict (S/2001/574 and Corr.1) went a step further in recognizing the critical importance of prevention by acknowledging that "the primary responsibility for conflict prevention rests with national Governments and other local actors" and "The role of the United Nations is principally to assist national Governments and their local counterparts in finding solutions to their problems by offering support for the development of national and regional capacities for early warning, conflict prevention and long-term peacebuilding."

Emanating from this policy prescription, the role of United Nations support has evolved beyond the confines of conflict management that had been the traditional purview of the political and peacekeeping departments of the United Nations. It now recognizes that a multidisciplinary and integrated approach to contemporary conflicts is required to complement tools such as mediation, negotiation and good offices, with a range of new process-oriented development tools for inter-group confidence-building, dialogue processes, and skills for building and consolidating the mediation capacities of society.

Questions of alternative dispute resolution in Africa have come before the Security Council on multiple occasions and the issue has been extensively debated

within the Council over the years.[2] Thus, the Council held high-level meeting on the subject in September 2008 and open debate on 21 April 2009, both of which activities have strengthened our collective commitment to the use of preventive diplomacy within the Security Council.

More recently, in January 2010, the Security Council reaffirmed its intention "to promote closer and more operational cooperation between the United Nations and regional and subregional organizations in the fields of conflict early warning, prevention, peacemaking, peacekeeping and peacebuilding, and to ensure the coherence, synergy and collective effectiveness of their efforts" (S/PRST/2010/1). While these developments are to be applauded, they do not go so far as to set out a comprehensive policy and strategy as a complement to the current peacekeeping model. Peacekeeping is not the only available tool for conflict resolution and management.

Depending on settings and opportunities, preventive diplomacy tools, such as conflict prevention, mediation, good offices, fact-finding missions, negotiation, use of special envoys, informal consultations, peacebuilding and targeted development activities, can be more useful, cost-effective and less risky in delivering desired peace dividends. These strategies can support military activity by addressing discord at the political level, thereby diverting actors from the path to conflict. The development of the United Nations human resource capacity dedicated to mediation and related activities is evidence of a growing commitment to such initiatives.

As a powerful set of tools to facilitate peacebuilding and to operationalize the obligations of the Security Council under Chapter VI of the Charter, preventive diplomacy has the potential to unite, foster trust and cooperation, quell rising violence and, by forestalling armed conflict with its negative consequences, maintain stability and foster peace while preserving the gains of development. The untapped potential therein warrants further investment of resources as the cost savings of such an outcome go well beyond the economic. The practicalities of agreeing and implementing such a policy therefore stand to be debated.

Content of the debate

In order to cultivate peace and fulfil the aims of Chapter VI of the Charter, there is a need to promote strategies involving early identification and appropriate intervention in conflict situations in order to build confidence, trust and, above all, preclude the onset of violence between opposing parties. The measures employed should deter that course of action by presenting the peaceful alternative as a more attractive prospect or a less costly way of achieving a given end. Such interventions

[2] See, inter alia, note by the President of the Security Council outlining the terms of reference and mandate for the ad hoc Working Group on Conflict Prevention and Resolution in Africa (S/2002/207); letter dated 14 August 2007 from the Chargé d'affaires a.i. of the Permanent Mission of the Congo addressed to the Secretary-General, containing terms of reference for the open debate of 28 August 2007 on conflict prevention and resolution, especially in Africa (S/2007/496); discussion of 28 August 2007 on the role of the Security Council in conflict prevention and resolution, in particular in Africa (S/PV.5735 and Resumption 1); report of the Secretary-General on the implementation of Security Council resolution 1625 (2005) on conflict prevention, particularly in Africa (S/2008/18); report of the Secretary-General on enhancing mediation and its support activities (S/2009/189); and statement by the President of the Security Council on ways to further promote the use of mediation in the peaceful settlement of disputes (S/PRST/2009/8).

might range from promoting intercultural dialogue to more coercive techniques like targeted sanctions.

An effective policy in favour of such preventive diplomacy would necessitate a cooperative approach to those regional and subregional organizations on the ground, which are implementing preventive diplomacy mechanisms. Accordingly, it is imperative that the direction offered by the Security Council in this respect be delivered with specificity, clarity and in a manner that supports, encourages and respects the role of relevant actors, including national Governments, the African Union, ECOWAS and the interests of neighbouring States.

There are a number of challenges associated with this initiative. It is necessary to identify and secure reliable sources of funding to ensure the initiative can be operationalized. Efforts must also be made to build preventive diplomacy capacity and expertise nationally, regionally and within the United Nations machinery, in a manner that harnesses the capacities in the United Nations Development Group, the United Nations Development Programme, the Peacebuilding Commission, the Department of Political Affairs and the Department of Peacekeeping Operations (including its Security Sector Reform Unit). The process of advancing the current cooperation of the United Nations with regional and subregional actors in this regard must be carefully coordinated in order to integrate preventive diplomacy into the architecture of conflict prevention, peacebuilding and peacekeeping. Above all, it is necessary to muster the requisite political will to promote preventive diplomacy as a veritable tool for the maintenance of international peace and security. These are issues on which the considered input of the Secretary-General would be appreciated.

It is in the interests of the international community at large to unite around a set of policies which would see preventive diplomacy employed as a matter of course in crisis situations, particularly in Africa.

Questions

In this debate the Security Council should consider the following:

1. How might we achieve agreement on a coherent policy strategy in favour of preventive diplomacy to complement the Organization's current peacekeeping model for Africa?
2. Strategies for better resourcing preventive diplomacy activities.
3. What value might be added to the Council's work in this regard from an update of the Secretary-General's 2008 report on conflict prevention in Africa, which would include, by way of an annex, reporting on relevant situations on the agenda of the Security Council and on other potential crisis situations?
4. How best to mobilize the ad hoc Working Group on Conflict Prevention and Resolution in Africa to launch a concrete initiative, in partnership with the key regional actors, to achieve optimal use of preventive diplomacy tools in specific pre-conflict situations.
5. The scope for drawing upon resources and know-how from relevant United Nations agencies and regional authorities, such as the African Union Peace and Security Council, the Southern African Development Community and ECOWAS.

6. How best to convert the current peace and security challenges in Africa (e.g., in the Sudan, Somalia, the Democratic Republic of the Congo and Zimbabwe) into opportunities to partner with local actors, including civil society and women's organizations, to develop and implement comprehensive and realistic preventive diplomacy programmes.

7. In view of the factors that may militate against the application of preventive diplomacy, what might be the most appropriate preventive diplomacy tools in regard to conflict in Africa?

8. What are the benefits of preventive diplomacy and who are its beneficiaries?